

**UNITED STATES BANKRUPTCY COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, et al.,

Debtor(s).

CELSIUS NETWORK LIMITED and  
CELSIUS KEYFI LLC,

Plaintiffs,

v.

JASON STONE and KEYFI INC.,

Defendants.

Bankruptcy Case No. 22-10964-MG

Adversary Proceeding No. 22-01139-MG

(Jointly Administered)

**Hearing Date: November 30, 2022,  
at 10:00 a.m. (ET)**

**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that a hearing on Jason Stone and KeyFi Inc., Defendants in the above-captioned adversary proceeding (the “Adversary Proceeding”), Motion to Dismiss the Complaint in the Adversary Proceeding (the “Motion”), as more fully set forth in the Motion, will be held before the Honorable Martin Glenn, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, Courtroom 523, One Bowling Green, New York, NY 10004 (the “Bankruptcy Court”) on November 30, 2022, at 10:00 a.m. The Hearing will be conducted remotely using Zoom for Government. Parties wishing to appear at the Hearing, whether making a “live” or “listen only” appearance before the Court, need to make an electronic appearance through the Court’s website at <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl> on or before 4:00 p.m. (prevailing Eastern Time) on November 29, 2022.

After the deadline for parties to make electronic appearances passes, parties who have made their electronic appearance through the Court's website will receive an invitation from the Court with the Zoom link that will allow them to attend the Hearing. Requests to receive a Zoom link will not be made by emailing the Court. Further information on the use of Zoom for Government can be found at the Court's website at <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>.

**PLEASE TAKE FURTHER NOTICE** that if no Objections are timely filed and served with respect to the Motion, Defendants may, on or after the Objection Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed to the Motion as Exhibit A, which order may be entered without further notice or opportunity to be heard.

**PLEASE TAKE FURTHER NOTICE** that any responses or objections (the "Objections") to the Motion must be in writing, conform to the Bankruptcy Rules and the Local Rules, be filed with the Bankruptcy Court by attorneys practicing in the Bankruptcy Court, including attorneys admitted pro hac vice, electronically in accordance with Bankruptcy Local Rule 5005-2, to the extent applicable, and be served in accordance with the Final Order (I) Establishing Certain Notice, Case Management, and Administrative Procedures and (II) Granting Related Relief, entered on August 17, 2022 (ECF No. 528) ("Case Management Order").

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Case Management Order, unless otherwise ordered by the Court, the parties to this adversary proceeding shall confer and agree upon a briefing schedule, including an objection deadline (the "Objection Deadline"), which shall be submitted for approval of the Court and shall comply with the Case Management Order.

**PLEASE TAKE FURTHER NOTICE** that any objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted upon default.

Dated: October 27, 2022

Respectfully submitted,

/s/ *Kyle W. Roche*

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*Counsel for Defendants*